

AG Contract No. KR03-0480TRN
ADOT ECS File: JPA 03-020
Project No. **R0543 14P**
5-Year Item No.
Research: SPR-543 Develop Strategies that
Best Integrate Environmental Stewardship into
ADOT's Business

INTERAGENCY AGREEMENT

BETWEEN
THE DEPARTMENT OF TRANSPORTATION
AND

THE AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS

THIS AGREEMENT is entered into June 25, 2003, between the
STATE OF ARIZONA, DEPARTMENT OF TRANSPORTATION, acting by and through its
TRANSPORTATION PLANNING DIVISION (the "State"), and the AMERICAN ASSOCIATION OF
STATE HIGHWAY AND TRANSPORTATION OFFICIALS, acting by and through its DIRECTOR OF
ENVIRONMENTAL PROGRAMS (the "AASHTO")

I. RECITALS

1. The State is empowered by Arizona Revised Statutes Section 28-401 and 28-334 to enter into this agreement and has delegated to the undersigned the authority to execute this agreement on behalf of the State.

2. The AASHTO is empowered to enter into this agreement and has delegated to the undersigned authority to execute this agreement on behalf of the AASHTO.

3. The State seeks to establish strategies for enhancing environmental stewardship performance agency-wide. Under this project agreement, an AASHTO team of consultants, will make a thorough assessment and evaluation of current State Environmental Performance with a view to establish priority areas of high environmental opportunity and / or risk. The evaluation will cover the State's different areas across its five divisions. The consultants will hold information exchange workshops with key focus groups within the State. Other means to collect relevant data will be pursued as needed to make informed expert recommendations and suggestions for further research as the case may be. The results of this effort will include project progress reports, technical memoranda, a draft and final project report, a four (4) page research note, and a research council presentation, herein referred to as the "Project". This agreement is to define the terms of the transfer of funds from the State to the AASHTO and the expenditure thereof.

THEREFORE, in consideration of the mutual agreements expressed herein, it is agreed as follows:

NO. 26120
Filed with the Secretary of State
Date Filed: 06/25/03

Janice K. Brewer
Secretary of State

By: Timothy D. Haernewald

II. SCOPE OF WORK

1. The State will:

- a. Appoint a Project coordinator to interface with AASHTO relating to the Environmental Stewardship program research and various Project developments
- b. Provide the AASHTO with information and data as may be reasonably available to assist in Project research and development.

2 The AASHTO will:

- a. Appoint a Project coordinator at the AASHTO to interface with the State relating to the Project research and various project developments.
- b. Accomplish the work generally in accordance with Exhibit A, which is attached hereto and made a part hereof, provide the State Project reports and other deliverables as are defined in Exhibit A.
- c. Invoice the State, no more than once a month. Invoices should be supported by project reports showing that work is completed for which payment is sought. Payment will be approved by the State project coordinator where work progress matches cumulative invoice totals, otherwise clarification will be requested.

III. MISCELLANEOUS PROVISIONS

1. Title to all documents, reports and other deliverables prepared by the AASHTO in performance of this agreement shall rest jointly with the AASHTO, and the State

2. This agreement shall become effective upon signature by the parties hereto, and shall remain in force and effect until completion of said Project and reimbursements; provided, however, that this agreement, may be cancelled at any time prior to the commencement of performance under this agreement, upon thirty (30) days written notice to the other party.

3. The parties agree to comply with all applicable state and federal laws, rules, regulations and executive orders governing procurement, equal employment opportunity, immigration, nondiscrimination and affirmative action.

4. This agreement may be cancelled in accordance with Arizona Revised Statutes Section 38-511

5. The provisions of Arizona Revised Statutes Section 35-214 are applicable to this contract.

6. In the event of any controversy which may arise out of this agreement, the parties hereto agree to abide by required arbitration as is set forth for public works contracts in Arizona Revised Statutes Section 12-1518.

7. The provisions of A R S § 41-1463 and Executive Order Number 99-4 issued by the Governor of the State of Arizona are incorporated by this reference as a part of this Intergovernmental Agreement. (Non-Availability of Funds Every payment obligation of ADOT under this contract is conditioned upon the availability of funds appropriated or allocated for the payment of such obligation. If funds are not allocated and available for the continuance of this contract, this contract may be terminated by ADOT at the end of the period for which the funds are available. No liability shall accrue to ADOT in the event this provision is exercised, and ADOT shall not be obligated or liable for any future payments or for any damages as a result of termination under this paragraph.)

8. This agreement is subject to all applicable provisions of the Americans with Disabilities Act (Public Law 101-336, 42 U.S.C. 12101-12213) and all applicable federal regulations under the Act, including 28 CFR Parts 35 and 36. (Non-Discrimination. The contractor shall comply with Executive Order 99-4, which mandates that all persons, regardless of race, color, religion, sex, age, national origin or political affiliation shall have equal access to employment opportunities, and all other applicable state and federal employment laws, rules and regulations, including the Americans With Disabilities Act. The contractor shall take affirmative action to ensure that applicants for employment and employees are not discriminated against due to race, creed, color, religion, sex, age, national origin or political affiliation or disability.)

9. All notices or demands upon any party to this agreement relating to the agreement shall be in writing and shall be delivered in person or sent by mail addressed as follows:

Arizona Department of Transportation
Joint Project Administration
205 S. 17th Avenue - 616E
Phoenix, AZ 85007

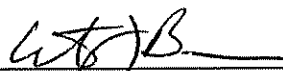
AASHTO
Kris Hoellen
Director of Environmental Programs
444 N. Capital Street, NW Suite 249
Washington, D.C. 20001

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

THE AMERICAN ASSOCIATION OF STATE
HIGHWAY AND TRANSPORTATION OFFICIALS

STATE OF ARIZONA
DEPARTMENT OF TRANSPORTATION

By


KRIS HOELLEN
Director of Environmental Programs
Dir. of Int'l & Bus. Dev.

6-6-03

(date)

By


DEBRA BRISK
Deputy Director

6.12.03

(date)

ATTEST

FISCAL MANAGEMENT SERVICES

By

By



Funding or Program Manager

EXHIBIT A

**AASHTO Center for Environmental Excellence
Arizona Department of Transportation**

**Research Project to Develop Strategies That Best Integrate
Environmental Stewardship into ADOT's Business**

**Phase 1
Environmental Performance Evaluation**

**Technical Proposal
01/2003**

Background

The Arizona Department of Transportation (Department) has identified environmental stewardship as one of its priority focus areas. The Department's Core Team: 1). views the integration of environmental stewardship into the Department's culture and daily activities as essential to positioning itself to meet or exceed its customers' needs and expectations for safe and efficient transportation as well as an excellent quality of life; 2). believes that the delivery of a safe and efficient transportation program and environmental stewardship are not mutually exclusive; 3). uses a broad definition of environment that encompasses both natural and human communities; 4). has a strong desire to raise the level of agency consciousness in the area of environmental stewardship as quickly as possible by learning from its peers in the transportation and other sectors; and 5). recognizes the challenges inherent in the recasting of the Department's cultural norm to institutionalize environmental stewardship, but the Core Team is determined to explore every opportunity to do so.

With technical assistance from the AASHTO Center for Environmental Excellence Expert Technical Assistance Program (AASHTO), and under the leadership of the Department's Project Technical Advisory Committee (TAC), the Department intends to aggressively pursue improving environmental stewardship across its 5 divisions by: 1). conducting an environmental performance evaluation of planning, design, construction, maintenance and operation business practices; 2). benchmarking the operational practices, policies and procedures of other transportation and/or other related institutions that have successfully integrated environmental sensitivity and stewardship into their business practices and daily activities; 3). developing strategies and actions to systematically and continually improve the Department's environmental performance and stewardship.

For the purposes of this project, *environmental performance is defined as the environmental protection and enhancement afforded the natural and human communities in carrying out the business of the Department.*

It is anticipated that this work will be conducted in three (3) phases, as follows:

- **Phase 1-Environmental Performance Evaluation:** 1) evaluate the environmental performance of the Department's different areas including planning, design, construction, maintenance and operation business practices across its 5 divisions, and for all modes of transportation under its jurisdiction; 2) establish priority areas of high environmental opportunity and/or risk; 3) document the results of the evaluation and prioritization in a technical memorandum; and 4) recommend a targeted scope of work for Phase 2-Benchmarking.
- **Phase 2-Benchmarking:** 1) systematically gather the best operational practices, policies and procedures of transportation and/or other related organizations in the target areas identified in Phase 1 and relevant to the Department; 2) document the results of the benchmarking in a technical memorandum; and 3) recommend a targeted scope of work for Phase 3-Strategies and Actions.
- **Phase 3- Strategies and Actions:** 1) use the findings of Phases 1 and 2 to develop a set of strategies and actions to improve environmental performance and stewardship; and 2) prepare a draft and final report documenting the results of all three phases.

Generally, the results of the various elements of the work will be briefly and concisely documented using summary technical memorandums, tables, charts, graphs and matrices in a reader-friendly, at-a-glance format, and draft and final research reports for Phase 1.

This technical proposal includes a detailed work plan and cost estimate for Phase 1 and basic work plan outlines for Phases 2 and 3, as requested by the Department during the December 17, 2002 conference call to discuss the scope of work and the approach.

Detailed scopes of work and cost estimates for Phases 2 and 3 will be developed, if necessary, at the request of ADOT, as the Phase 1 work reaches a point at which sufficient information is available as determined by the TAC. If applicable, phases 2 & 3 tasks will be proposed and added through a contract amendment. Such work will be planned and conducted as concurrently as possible.

All phases of the work will be guided by the Department's TAC. The TAC and key Department business process owners will be engaged proactively in the work through workshops, meetings, technical memorandum and report reviews, and telephone conference calls. It is understood that the Department staff must be an integral part of gaining an understanding of their environmental stewardship activities, as well as the identification of priority target areas, the search for best practices, and the development of their strategies and actions.

The Department's Core Team will be kept well informed throughout the project by the TAC and consulted for key input and decision-making.

AASHTO's Center for Environmental Excellence will complete Phase 1 of the assignment within six (6) months after receipt of the notice to proceed, provided there is consistent and pro-active involvement by the TAC. Schedules for work in Phases 2 and 3 will be developed

when the detailed scopes of work for those phases are prepared. It is understood that because of the priority the Department assigns to this initiative, every reasonable effort should be made to expedite the work.

The AASHTO Consultants will prepare and submit *Quarterly Research Progress Reports* to the Transportation Research Center.

AASHTO intends to provide the expert technical assistance for Phase 1-Environmental Performance Evaluation by utilizing the services of Marie Venner and Wayne Kober, Senior Transportation Environmental Professionals working under contract to the AASHTO Center for Environmental Excellence (AASHTO Consultants). Wayne Kober will serve as the AASHTO team leader for this assignment. Depending upon the scopes of work developed for Phases 2 and 3, other professional and/or support personnel may be added as required for those phases.

Phase 1-Environmental Performance Evaluation Approach

The Phase 1-Environmental Performance Evaluation will be conducted in a series of tasks to be performed by the AASHTO Consultants in close consultation with the TAC and key business process owners in the Department. Although the tasks will generally be performed in the order they are described, work will be performed concurrently whenever possible and beneficial.

Task 1-Review Background Information on the Department's Current Organization, Practices, Policies, Procedures and Strategic Plans

The AASHTO Consultants will review the relevant background information supplied by the Department and make key observations in the form of notes for use in Task 2 and subsequent tasks. The notes will be documented in a Technical Memorandum.

Task 2- Set Up, Conduct and Document Current Practices Workshop

The AASHTO Consultants will prepare a workshop agenda and guide for each of five (5) consecutive one-day sessions to be held in the Phoenix, Arizona metropolitan area. The three-fold purpose of the sessions will be to: 1) identify the environmental aspects of the business practices, policies, and procedures in the functional areas of planning, design, construction, maintenance and operations; 2) conduct a preliminary, qualitative group evaluation of the environmental performance of the business practices in each of the functional areas; 3) prioritize the business practices of high environmental risk and/or opportunity for improvement in each functional area.

Workshop sessions will be held to address the following focus areas:

- Planning-Statewide, Metropolitan and Rural
- Design-Preliminary and Final
- New Facilities and Upgrades

- Maintenance-Equipment, Roadsides, Pavement, Bridges and Drainage
- Operations-Traffic, Incident Management, Disaster Response, Energy Conservation, Snow-Ice Control, Detours

A sixth day will be reserved for TAC and Core Team review and discussion of the Workshop results.

Prior to the Workshop, the AASHTO Consultants will work with the TAC to: 1) refine the workshop agendas and guides; 2) identify the business process owners who will be workshop participants from relevant divisions of the Department; and 3) identify the meeting space, audio-visual equipment requirements and other logistical concerns. The Department will invite and host the workshop participants, and provide meeting space, audio-visual equipment and any incidentals.

The information gained during the workshops will be recorded on easel pads and/or PowerPoint and summarized in the technical memorandum documenting the results of the workshops. The memorandum will document the environmental performance and priorities identified during the workshops. The TAC will review and comment on the technical memorandum, including the priorities established by the groups. The AASHTO Consultants will revise the technical memorandum based on the consolidated TAC review.

Task 3-Evaluate and Document Environmental Performance of Current Practices

The AASHTO Consultants will qualitatively evaluate the environmental performance and relative importance of each of the high priority business practices identified in Task 2 in a technical memorandum. A matrix format will be used to concisely display the environmental performance and assessment information in the technical memorandum. The TAC will review and provide consolidated comments on the technical memorandum. The AASHTO Consultants will revise the technical memorandum based on the consolidated review of the TAC.

Task 4-Recommend Business Practices and Organizations for Benchmarking

The AASHTO Consultants will recommend the business operational practices for benchmarking against other transportation and/or related organizations and recommend a benchmarking work plan. The work plan will identify any research needed, the types of organizations to be benchmarked in each practice area, the selection criteria for organizations to be benchmarked, the benchmarking methodology, the estimated costs of the benchmarking, the proposed benchmarking team, and the benchmarking schedule. The recommendations will be documented in a Draft Phase 1 Research Project Report. The TAC will review and provide consolidated comments on the Draft Phase 1 Research Project Report. The AASHTO Consultants will prepare the Final Phase 1 Research Project Report based on the consolidated review of the TAC.

The AASHTO Consultants will prepare a four (4) page summary of the background and results of the research project for the Department's use in preparing an Arizona Transportation Research Center publication, *Research Notes*.

The AASHTO Consultants will prepare Powerpoint-type presentation materials for the Transportation Research Center's use in making a final twenty-minute project presentation of the Phase 1 results to the Department's Research Council and Executive Management. The AASHTO Consultants will join in the presentation via video-conferencing.

Phase 2-Benchmarking (Basic Outline)

Phase 2 will determine the state-of-the-art in the selected practice areas, identifying approaches that will best integrate environmental sensitivity and stewardship into the Department's organization, culture and practices.

Task 1-Conduct and Document Benchmarking

- Conduct background research (literature search, survey, interviews, and/or focus groups as determined by the final scope of work) to identify state-of-the-art practices in each priority area and to identify candidate organizations for benchmarking in each of the Department's priority areas as determined in Phase 1.
- Benchmark the selected organizations in each priority area known for excellent environmental performance in the Department's priority functional/activity areas (videoconferencing will be used for benchmarking in lieu of site visits as practicable).
- Document the results of the benchmarking in a technical memorandum.

Phase 3-Strategies and Actions (Basic Outline)

Based on the results of Phases 1 and 2, Phase 3 will determine practices that will be implemented within the Department and will prioritize them for implementation. For a selected group of the priority practices, Phase 3 will include development of strategies and action plans for implementation.

Task 1-Set Up, Conduct "Best Operational Practices" Workshops

- Organize and conduct one-day Department Workshops for business process owners in each of 5 functional areas (listed below) to 1) review the results of the Benchmarking work in their priority function/practice areas; 2) identify and prioritize "best operational practices" for adoption in those functional/activity areas; 3) develop strategies and actions for implementation of a select group of practices within the Department. The five business process areas are:
 - Planning-Statewide, Metropolitan and Rural
 - Design-Preliminary and Final
 - New Facilities and Upgrades
 - Maintenance-Equipment, Roadsides, Pavement, Bridges and Drainage

- Operations-Traffic, Incident Management, Disaster Response, Energy Conservation, Snow-Ice Control, Detours
- Document the results of the workshops in a technical memorandum.
- Meet with TAC to review workshop results.

Task 2- Recommend and Document Strategies and Actions

- The AASHTO Consultants will analyze workshop results and recommend strategies and actions for selected best operational practices.
- The AASHTO Consultants will document the analysis and recommendations in a Technical Memorandum.
- The AASHTO Consultants will review the technical memorandum with the TAC and revise it in response to consolidated TAC comments.

Task 3-Prepare Draft and Final Report

- The AASHTO Consultants will document in the report the results of all three phases of the initiative. The report will incorporate all relevant documents and data, interview results, decision processes, definitions of terms, and all other pertinent elements of the research and evaluation processes.
- The AASHTO Consultants will submit the draft report to the TAC for review and comment.
- The AASHTO Consultants will present the results contained in the report to the Core Team/Research Council.
- The AASHTO Consultants will prepare the final report following consolidated feedback from the TAC, Core team and/or Research Council.

Prepared by: Janet Myers, Marie Venner, Kris Hoellen and Wayne Kober



OFFICE OF THE ATTORNEY GENERAL
STATE OF ARIZONA

CIVIL DIVISION
TRANSPORTATION SECTION
WRITER'S DIRECT LINE 602.542.8855

TERRY GODDARD
ATTORNEY GENERAL


INTERAGENCY AGREEMENT
DETERMINATION

A.G. Contract No. KR03-0480TRN (JPA 03-020), an Agreement between public agencies, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the Undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining Parties, other than the State or its agencies, to enter into said Agreement.

DATED June 18, 2003.

TERRY GODDARD
Attorney General


SUSAN E. DAVIS
Assistant Attorney General
Transportation Section

/ss

att.

DETERMINATION

Arizona Contract No. JPA 03-020, which is an agreement between public agencies; to wit; the STATE OF ARIZONA, DEPARTMENT OF TRANSPORTATION, INTERMODAL TRANSPORTATION DIVISION, and the AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS, has been reviewed by the undersigned for the Association who has determined that it is in the proper form and within the powers and authority granted to the Association.

No opinion is expressed as to the authority of the State of Arizona to enter into said agreement.

DATED this June 6 day of _____, 2003.

THE AMERICAN ASSOCIATION OF STATE HIGHWAY
AND TRANSPORTATION OFFICIALS

By 